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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**China Energy Corporation  
Plaintiff**

**Vs.**

**Case No. 3:13-CV-562-MMD-VPC**

**Alan Hill, et al  
Defendants**

**MOTION TO STRIKE OR WITHDRAW  
“RESPONSE TO MOTION TO DISMISS”**

Come the Defendants **Michael and Elena Sammons** and move to strike or withdraw their Response to Motion to Dismiss,” Dkt. 156.

In support thereof the Third-Party Plaintiffs would show that **after** filing their response the Court issued a minute Order, Dkt. 157, advising the parties that the pending Motion to Dismiss would be converted to a motion for summary judgment. Opposition to a motion for summary judgment will require additional evidence and briefing.

Respectfully submitted,



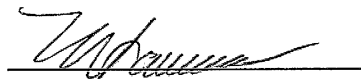
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Elena Sammons, pro se

### Certificate of Service

A true and exact copy was mailed or emailed to all parties this 24 day  
of Feb, 2013.



Michael Sammons